

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:11-00238

HARRY MARSHALL RAE

UNOPPOSED MOTION OF THE UNITED STATES TO CONTINUE TRIAL

Now comes the United States of America, by Steven R. Ruby, Assistant United States Attorney for the Southern District of West Virginia, and moves the Court to order that the trial of this case now scheduled for January 23, 2012, be continued to January 30, 2012.

In support of this motion, the United States represents to the Court that the United States and defendant have agreed in principle to enter into a plea agreement. A letter-form plea agreement has been sent to defense counsel so that defendant may execute it. Defendant, however, currently resides in California. Consequently, the executed plea agreement likely will not be returned to the United States until a day or two after January 23, 2012. When the executed plea agreement is returned to the United States, the United States will move for a plea hearing and tender a copy of the executed plea agreement to the Court.

Defense counsel has authorized the United States to represent that defendant does not oppose this motion.

Respectfully submitted,

R. BOOTH GOODWIN II
United States Attorney

By:

s/Steven R. Ruby, AUSA
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CERTIFICATE OF SERVICE

It is hereby certified that service of the foregoing "UNOPPOSED MOTION OF THE UNITED STATES TO CONTINUE TRIAL" has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing on this 19th day of January, 2012, to:

Mary Lou Newberger
Federal Public Defender
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s/ Steven R. Ruby
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